

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 17-10238

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CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA;  
FINANCIAL SERVICES INSTITUTE, INCORPORATED; FINANCIAL  
SERVICES ROUNDTABLE; GREATER IRVING-LAS COLINAS CHAMBER  
OF COMMERCE; HUMBLE AREA CHAMBER OF COMMERCE, doing  
business as Lake Houston Chamber of Commerce; INSURED RETIREMENT  
INSTITUTE; LUBBOCK CHAMBER OF COMMERCE; SECURITIES  
INDUSTRY AND FINANCIAL MARKETS ASSOCIATION; TEXAS  
ASSOCIATION OF BUSINESS,

Plaintiffs - Appellants

v.

UNITED STATES DEPARTMENT OF LABOR; EDWARD C. HUGLER,  
ACTING SECRETARY, U.S. DEPARTMENT OF LABOR,

Defendants - Appellees

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AMERICAN COUNCIL OF LIFE INSURERS; NATIONAL ASSOCIATION  
OF INSURANCE AND FINANCIAL ADVISORS; NATIONAL  
ASSOCIATION OF INSURANCE AND FINANCIAL ADVISORS - TEXAS;  
NATIONAL ASSOCIATION OF INSURANCE AND FINANCIAL  
ADVISORS - AMARILLO; NATIONAL ASSOCIATION OF INSURANCE  
AND FINANCIAL ADVISORS - DALLAS; NATIONAL ASSOCIATION OF  
INSURANCE AND FINANCIAL ADVISORS - FORT WOTH; NATIONAL  
ASSOCIATION OF INSURANCE AND FINANCIAL ADVISORS - GREAT  
SOUTHWEST; NATIONAL ASSOCIATION OF INSURANCE AND  
FINANCIAL ADVISORS - WICHITA FALLS;

Plaintiffs - Appellants

v.

UNITED STATES DEPARTMENT OF LABOR; EDWARD C. HUGLER,  
ACTING SECRETARY, U.S. DEPARTMENT OF LABOR,

Defendants - Appellees

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INDEXED ANNUITY LEADERSHIP COUNCIL; LIFE INSURANCE  
COMPANY OF THE SOUTHWEST; AMERICAN EQUITY INVESTMENT  
LIFE INSURANCE COMPANY; MIDLAND NATIONAL LIFE INSURANCE  
COMPANY; NORTH AMERICAN COMPANY FOR LIFE AND HEALTH  
INSURANCE,

Plaintiffs - Appellants

v.

EDWARD C. HUGLER, ACTING SECRETARY, U.S. DEPARTMENT OF  
LABOR;  
UNITED STATES DEPARTMENT OF LABOR,

Defendants - Appellees

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Appeal from the United States District Court for the  
Northern District of Texas, Dallas

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Before CLEMENT, PRADO, and HIGGINSON, Circuit Judges.

PER CURIAM:

IT IS ORDERED that the opposed emergency motion of appellants,  
Chamber of Commerce of the United States of America, Financial Services  
Institute, Incorporated, Financial Services Roundtable, Greater Irving-Las  
Colinas Chamber of Commerce, Humble Area Chamber of Commerce,

Insured Retirement Institute, Lubbock Chamber of Commerce, Securities Industry and Financial Markets Association and Texas Association of Business, for injunction pending appeal is DENIED.

IT IS FURTHER ORDERED that appellants' opposed alternative motion to expedite appeal is DENIED.

IT IS FURTHER ORDERED that the opposed emergency motion of appellants, American Council of Life Insurers, National Association of Insurance and Financial Advisors, National Association of Insurance and Financial Advisors - Amarillo, National Association of Insurance and Financial Advisors - Dallas, National Association of Insurance and Financial Advisors - Fort Worth, National Association of Insurance and Financial Advisors - Great Southwest, National Association of Insurance and Financial Advisors - Texas and National Association of Insurance and Financial Advisors - Wichita Falls, for injunction pending appeal is DENIED.

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

April 05, 2017

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 17-10238 Chamber of Commerce of the USA, et al v. U.S.  
Department of Labor, et al  
USDC No. 3:16-CV-1476  
USDC No. 3:16-CV-1530  
USDC No. 3:16-CV-1537

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Melissa B. Courseault, Deputy Clerk  
504-310-7701

Mr. Paul Blankenstein  
Mr. Kelly Patrick Dunbar  
Mr. Russell Harris Falconer  
Mr. Joseph Robert Guerra  
Mr. James C. Ho  
Mr. Peter D. Keisler  
Mr. Kevin Lamb  
Mr. Eric Dean McArthur  
Mr. Jason J. Mendro  
Ms. Karen S. Mitchell  
Mr. David W. Ogden  
Mr. Michael S. Raab  
Ms. Andrea J. Robinson  
Mr. Eugene Scalia  
Mr. Michael Shih  
Ms. Galen Thorp